

***United States Court of Appeals
for the Second Circuit***



**APPELLANT'S
APPENDIX**

75-1056

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,

Appellee

-against-

Docket No. 75-1056

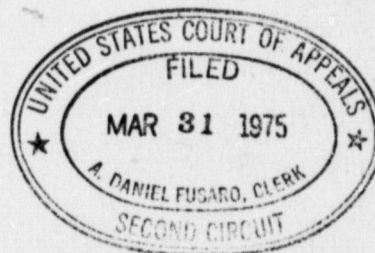
AMPARO JIMINES,

Appellant

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PA S

APPENDIX FOR APPELLANT

MARTIN JAY SIEGEL
ATTORNEY FOR APPELLANT
SUITE 701
250 W. 57th ST.
NEW YORK, N.Y. 10019



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UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,

Appellee

-against-

AMPARO JIMINES,

Appellant

UNITED STATES DISTRICT
COURT FOR THE SOUTHERN
DISTRICT OF NEW YORK.

CASE NO. 74 CR 906

JUDGE Connor

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
UNITED STATES OF AMERICA,

-v-

ROSA MARTINEZ, a/k/a "Marta",
AMPARO JIMENS,
LUIS ROMAN,
RICARDO GOMEZ-MARTINEZ, and
LUZ ECHEVERY,

Defendants.
-----x

:

: INDICTMENT

: S 74 Cr. 906

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:

:

FIRST COUNT

The Grand Jury charges:

1. From on or about the 15th day of August, 1974, and continuously thereafter up to and including the date of the filing of this indictment, in the Southern District of New York, ROSA MARTINEZ, also known as "Marta", AMPARO JIMENS, LUIS ROMAN, RICARDO GOMEZ-MARTINEZ, and LUZ ECHEVERY, the defendants, and others to the Grand Jury unknown, unlawfully, intentionally and knowingly combined, conspired, confederated and agreed together and with each other to violate Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

2. It was part of said conspiracy that the said defendants unlawfully, intentionally and knowingly would distribute and possess with intent to distribute Schedule II narcotic drug controlled substances, the exact amount thereof being to the Grand Jury unknown, in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

MF:ew

OVERT ACTS

In pursuance of the said conspiracy and to effect the objects thereof, the following overt acts were committed in the Southern District of New York.

1. On or about September 3, 1974, ROSA MARTINEZ, a/k/a "Marta", and AMPARD JIMENS, delivered approximately 24.0 grams of cocaine to another in apartment 64A, 305 W. 97th Street, New York, New York.
2. On or about September 4, 1974, LUIS ROMAN, RICARDO COMEZ-MARTINEZ, and LUZ ECHEVERY brought approximately 150.0 grams of cocaine to apartment 64A, 305 W. 97th Street, New York, New York.
3. On or about September 4, 1974, in apartment 64A, 305 W. 97th Street, New York, New York, ROSA MARTINEZ, a/k/a "Marta", had a conversation with another regarding the sale of approximately 150.0 grams of cocaine.
4. On or about September 4, 1974, in apartment 64A, 305 W. 97th Street, New York, New York, ROSA MARTINEZ a/k/a "Marta", AMPARD JIMENS, LUIS ROMAN, RICARDO COMEZ-MARTINEZ and LUZ ECHEVERY distributed and possessed with intent to distribute approximately 150.0 grams of cocaine to another.

(Title 21, United States Code, Section 846.)

SECOND COUNT

The Grand Jury further charges:

On or about the 3rd day of September, 1974, in
the Southern District of New York,

ROSA MARTINEZ, a/k/a "Marta",
AMPARO JIMENS,

the defendants, unlawfully, wilfully and knowingly did
distribute and possess with intent to distribute a Schedule
II narcotic drug controlled substance, to wit, approximately
24.0 grams of cocaine.

(Title 21, United States Code, Sections 812,
841(a)(1) and 841(b)(1)(A); Title 18, United
States Code, Section 2.)

THIRD COUNT

The Grand Jury further charges:

On or about the 4th day of September, 1974, in
the Southern District of New York,

ROSA MARTINEZ, a/k/a "Marta",
AMPARO JIMENS,
LUIS ROMAN,
RICARDO GOMEZ-MARTINEZ, and LUZ ECHEVERY,

the defendants, unlawfully, wilfully and knowingly did
distribute and possess with intent to distribute a Schedule
II narcotic drug controlled substance, to wit, approximately
150.0 grams of cocaine.

(Title 21, United States Code, Sections 812,
841(a)(1) and 841(b)(1)(A); Title 18, United
States Code, Section 2.)

FOREMAN

-5-

PAUL J. CURRAN
United States Attorney

STATEMENT OF DEFENDANT BEFORE ARRAIGNMENT
MADE TO ASSISTANT UNITED STATES ATTORNEY

Date: Sept 5, 1974

Time Interview Commenced: 1:45 a.m. / 1:00 p.m.

Q. My name is Don Platt, I am an Assistant United States Attorney. You have been arrested for a violation of Federal Narcotic Laws which relates to _____

In a few minutes you will be taken before the United States Commissioner who will fix bail in your case. Do you understand that?

A. Nods yes

Q. You have a constitutional right to refuse to answer any of my questions. Do you understand that?

A. Nods yes

Q. You have an absolute right to remain silent, and if you choose to answer any questions, any statement you do make can be used against you in a court of law. Do you understand that?

A. Nods yes

Q. You have a right to consult an attorney and to have that attorney present during this interview. Do you understand that?

Q. You have a right to consult an attorney and to have that attorney present during this interview. Do you understand that?

A. Nods yes

Q. If you do not have funds to retain an attorney an attorney will be appointed to represent you and you do not have to answer any questions before this attorney is appointed and you can consult with him. Do you understand that?

A. Nods yes

Q. Understanding your rights as I have explained them, do give me some information at this time about _____ and your version of the facts?

586-1410

(212) 586-1414

Martin Jay Siegel

ATTORNEY AND COUNSELOR AT LAW

250 WEST 57TH STREET
NEW YORK, N. Y. 10019

choose.

Nods yes.

Name: Amiraro Jimenes

Marital Status: SINGLE

Age: Vol 8 Feb 21, 1937

Aliases: None.

37 yrs.

Children: No

Other Dependents:

Address: 345 West 53rd St.

Apt. No. A

Rent: \$35
on wk.

Period: 8 days.

NY, NY.

Lived on 82nd St. 1 month

prior to that live in P.R.

With Whom Residing: boy friend Jorge Hernandez.

Citizen of: U.S. (P.R.)

Registered as an Alien:

Entry to U.S. NY
offshore

Registered with Selective Service

Military Service, Discharge:

for 1st 7 mos. up
then back to P.R.

Employed: unemployed

Wages:

Previous Record:

None.

Addict:

Don't use heroin or cocaine

Defendant's Statement:

INVITED TO Party at Carlos
ORTIZ'S APT.

